

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ROBERT BELISLE,

Plaintiff,

v.

KENOSHA COUNTY, CITY OF
KENOSHA, STATE OF WISCONSIN,
and IMMIGRATION CUSTOMS
ENFORCEMENT,

Defendants.

Case No. 17-CV-20-JPS

ORDER

On July 21, 2017, Magistrate Judge David E. Jones ordered Plaintiff to submit an amended complaint no later than August 21, 2017. (Docket #7). When none was filed by that deadline, Magistrate Jones ordered Plaintiff to show cause, no later than October 2, 2017, why his lawsuit should not be dismissed for lack of diligence. (Docket #8). That deadline also passed without communication from Plaintiff. Finally, on October 19, 2017, Magistrate Jones issued a recommendation to this Court that this action be dismissed for Plaintiff's failure to prosecute it and his noncompliance with earlier orders. (Docket #9); Fed. R. Civ. P. 41(b); Civil L. R. 41(c).

Plaintiff has consented to magistrate judge jurisdiction in this matter, but Defendants have not, as they have not yet been served with the complaint. Magistrate Jones issued his recommendation because, according to the Court of Appeals in *Coleman v. Labor & Indus. Review Comm'n*, 860 F.3d 461 (7th Cir. 2017), without consent to his jurisdiction from all parties, to include even the unserved Defendants, he lacks authority to finally dispose of the case.

In his recommendation, Magistrate Jones informed Plaintiff that, pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), Federal Rule of Civil Procedure 72(b)(2), and General Local Rule 72(c), he had fourteen days to file an objection to the recommendation. (Docket #9 at 2). That deadline has passed and the Court has received no objection from Plaintiff. Having received no objection thereto, and in full agreement with Magistrate Jones' analysis and conclusion therein, the Court will adopt the recommendation.

Accordingly,

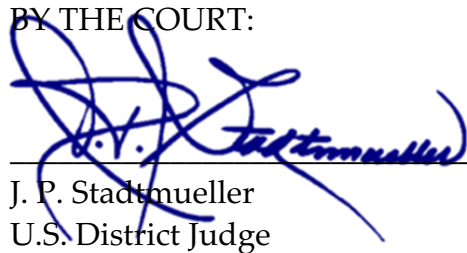
IT IS ORDERED that Magistrate Judge David E. Jones' October 19, 2017 Report and Recommendation (Docket #9) be and the same is hereby **ADOPTED**; and

IT IS FURTHER ORDERED that this action be and the same is hereby **DISMISSED without prejudice**.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 6th day of November, 2017.

BY THE COURT:



J. P. Stadtmueller
U.S. District Judge